

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55751 of 2021

Arising Out of PS. Case No.-79 Year-2021 Thana- HALSI District- Lakhisarai

Raju Kumar @ Munna S/O Pappu Singh R/O Village-Tetarhat, P.S-Tetarhat,
District-Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha
For the Opposite Party/s : Mr. Akash Shankar

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 24-02-2022 Heard both the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Halsi Ramgarh Chowk P.S. Case No.79 of 2021 instituted for the offences under Sections 420, 120B of the Indian Penal Code & Section 30(a), 32(ii) of Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that the name of the petitioner has been mentioned by the accused from whom liquor is recovered. In view thereof, learned counsel submits that section 30(a) of the Excise Act is not made out. The petitioner was neither present at the place of incident nor he was owner of the vehicle.

Having considered the over all aspect, I am satisfied



that section 30(a) of the Excise Act is not made out against the petitioner.

1. The applicant, namely, Raju Kumar @ Munna shall furnish personal bond with his recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer.

2. The applicant shall cooperate with the investigation and make himself available for interrogation whenever required.

3. The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer,

4. The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;

5. The applicant shall not leave the territory of Lakhisarai without prior permission of the court, till trial is over;

6. The applicant shall maintain law and order;

7. The applicant shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not



change the residence till the final disposal of the case;

8. The applicant shall surrender his passport, if any, before the investigating officer within a week and, if he does not possess any passport, he shall file an affidavit to that effect before the investigating officer;

9. The applicant shall regularly remain present during the trial and cooperate with the Hon'ble court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

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